



CLOSED CASE SUMMARY

ISSUED DATE: NOVEMBER 28, 2023

FROM: DIRECTOR GINO BETTS 
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2023OPA-0215

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	5.001 - Standards and Duties POL-10. Employees Will Strive to be Professional	Not Sustained - Inconclusive

This Closed Case Summary (CCS) represents the opinion of the OPA Director regarding the misconduct alleged and therefore sections are written in the first person.

EXECUTIVE SUMMARY:

The Complainant alleged Named Employee #1 (NE#1) was unprofessional during their phone conversation.

ADMINISTRATIVE NOTE:

On September 22, 2023, the Office of Inspector General (OIG) certified OPA's investigation as thorough, timely, and objective.

SUMMARY OF INVESTIGATION:

The Complainant alleged difficulty reaching SPD regarding their identity theft police report. The Complainant said an officer told her that SPD would not investigate identity theft unless money was stolen. That officer also allegedly suggested that SPD had a two-year backlog on those investigations. The Complainant said another detective claimed, "All the citizens in Seattle ... are all about defunding the police," and SPD was "understaffed."

OPA opened an investigation, reviewing the OPA complaint, incident report, NE#1's prior OPA cases, SPD's SharePoint page information, and emails. OPA also interviewed the Complainant and NE#1.

The incident report showed the Complainant reported an unknown person—identified by a partial phone number—attempted to change contact information on one of her retirement accounts. No funds were taken, and no suspect information was provided. An SPD officer assigned to the Internet Telephone Reporting Unit (ITRU) took the report over the phone and provided the Complainant with a case number.

OPA interviewed the Complainant. The Complainant stated an unknown person attempted to fraudulently access her retirement account after using her social security number to change contact information for the account. The Complainant was told a police report was necessary to investigate the matter. The Complainant said she reported the attempted theft and then called back to check the status of her case. The Complainant did not recall the officer she



spoke with but recalled being told the Department had limited capacity, a case backlog, and was unlikely to pursue a case where there was no monetary loss. The Complainant recalled being told she would be called back but reported no one followed up. The Complainant said she called back days later and spoke to NE#1. The Complainant recalled NE#1 telling her that SPD could not investigate the attempted theft, alluding to Seattle being unsupportive of police. The Complainant said NE#1 alluded to the lack of resources related to the “defund the police” movement. The Complainant found those comments unprofessional and untrue. The Complainant stated no money was taken and that she changed the security settings on her retirement account. The Complainant also provided emails from SPD. The emails showed a case number. A final email notified her that the case was suspended.

OPA reviewed prior OPA cases for NE#1. Over the past five years, OPA observed that NE#1 had five OPA complaints related to professionalism while taking reports from community members. All five resulted in Supervisor Actions, a disposition used for alleged minor misconduct that does not necessarily indicate that OPA found that any misconduct occurred. Of the five prior cases, only two appeared to involve allegedly unprofessional comments made by NE#1 while taking reports over the phone.

OPA reviewed SPD’s internal SharePoint and located information in the Fraud, Forgery, and Scams section. This indicated that victims of attempted fraud—where no monetary loss occurred—should file complaints with the Federal Trade Commission.

What do I do if I experience a scam first-hand? ⇨

If you have *not* sustained a loss – i.e. you **did not** give them any information or money...

Report the incident to the Federal Trade Commission (FTC) at
www.ftc.gov/complaint

SPD’s SharePoint Screenshot

Finally, OPA interviewed NE#1. NE#1 stated he has worked for SPD for twenty-eight years and is currently assigned to ITRU. NE#1 stated he takes both telephone and internet reports. NE#1 said ITRU does not record their phone calls. NE#1 recalled the phone call with the Complainant, remembering that she wanted an update on her fraud report. NE#1 recounted, “I think she, unfortunately, was under the impression that an immediate investigation would occur. And we would go forward with it, which is generally not the case.” NE#1 said the Complainant’s case was of the sort that the Fraud Unit would investigate, but that unit had a two-year backlog and only one detective. NE#1 stated that the Fraud Unit generally needed a known suspect to proceed with an investigation. NE#1 recalled telling the Complainant that it was unlikely her case would be investigated but denied discussing the “defund the police” movement. NE#1 recalled trying to impress upon the Complainant the Department’s limited capacity, but he did not think the Complainant was satisfied with the answer. NE#1 recalled the Complainant wanted an immediate investigation, including search warrants. NE#1 stated he did not have the power to do that.



ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegation #1

5.001 - Standards and Duties POL-10. Employees Will Strive to be Professional

The Complainant alleged that NE#1 was unprofessional while speaking to her over the phone.

SPD employees must “strive to be professional.” SPD Policy 5.001-POL-10. Further, “employees may not engage in behavior that undermines public trust in the Department, the officer, or other officers.” *Id.* Moreover, while on duty or in uniform, employees will not publicly ridicule “the Department or its policies, other Department employees, other law enforcement agencies, the criminal justice system, or the police profession. This applies where such expression is defamatory, obscene, undermines the effectiveness of the Department, interferes with the maintenance of discipline, or is made with reckless disregard for truth.” *Id.*

If NE#1 stated that the Complainant’s criminal report was not being investigated because of the “defunding the police” movement or the city’s sentiments toward the police, it would likely have violated SPD’s professionalism policy. However, there is insufficient evidence that NE#1 made those comments. The phone call was not recorded, and NE#1 denied the allegation.

Accordingly, OPA recommends this allegation be Not Sustained – Inconclusive.

Recommended Finding: **Not Sustained - Inconclusive**